

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRIDGEPORT MUSIC, INC., et al.]	
]	
v.]	No. 3:01-1005
]	Judge Higgins
B.E. SOMEBODY, INC., et al.]	

ORDER

No objections to the Magistrate Judge's Report and Recommendation (entered October 4, 2005; Docket Entry No. 57) have been filed within the required time.

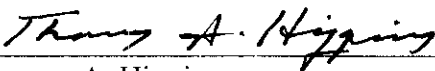
After independently reviewing the Magistrate Judge's findings and the entire record, the Court finds the Magistrate Judge's findings and conclusions are correct and they are adopted and approved.

Accordingly, the motion (filed June 29, 2005; Docket Entry No. 44) of the defendant, B. E. Somebody, Inc., to set aside the default judgment entered against it is granted; and, the default judgment (Docket Entry Nos. 42 and 43) entered April 6, 2005, is vacated conditioned upon the defendant paying the reasonable attorney fees incurred by the plaintiffs in securing the default judgment.

The plaintiffs shall file an application for reasonable attorney fees within fourteen (14) days of the date of entry of this order on the docket.

Upon payment of the attorney fees the Court will enter an order directing the Clerk to re-instate this action on the active docket.

It is so ORDERED.



Thomas A. Higgins
United States District Judge
11-22-05